

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re U.S. Utility Patent Application of

SHASKEY, Mark S., Sr.

Art Unit: 3652

Appln. No. 10/671,974

Examiner: Dean J. Kramer

Filed: 26 September 2003

For: APPARATUS TO FACILITATE THE HOLDING OF LARGE BOTTLE  
WITHOUT INTEGRAL HANDLES

Re: Petition for Revival of an Application for Patent Abandoned Unavoidably  
Under 37 C.F.R. 1.137(a)

\* \* \*

Date: May 9, 2007

Attention: Office of Petitions

To the Honorable Commissioner for Patents  
Mail Stop Petition  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The above-identified application became abandoned for failure to file a timely Appeal Brief in a timely manner following filing a Notice of Appeal filed 04 November 2005, pursuant to MPEP 1204. The day of abandonment being 05 June 2006, the day after the expiration date set for filing such an Appeal Brief.

THE APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS  
APPLICATION under 37 C.F.R. 1.137(a).

Enclosed herewith is the small entity petition fee of \$250.00 required by 37  
C.F.R. 1.17(l). Applicant claims small entity status pursuant to 37 C.F.R. 1.27(a).

Also enclosed herewith is the Appeal Brief.

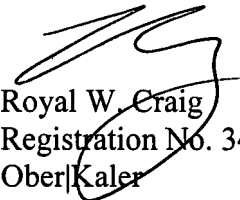
Since this utility patent application was filed on or after June 8, 1995, no terminal disclaimer is required.

The entire delay in filing the required Appeal Brief from the due date for filing the Appeal Brief until the filing of a grantable petition under 37 C.F.R. 1.137(a) was unavoidable. Applicant's Declaration explaining the reasons for delay is attached herewith in Appendix A.

Accordingly, the Applicant hereby petitions for revival of this application under 37 C.F.R. 1.137(a).

\* \* \* \* \*

Respectfully submitted,



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\* \* \*

**VERIFIED STATEMENT UNDER 37 CFR SECTION 1.137(b)**

Honorable Commissioner of Patents  
And Trademarks  
Box DAC  
Alexandria, VA 22313-1450

Sir:

I, Mark Shaskey, Sr., being duly sworn, state that I am an individual inventor and owner of the above-identified patent, as shown by the records in the United States Patent and Trademark Office. I further declare and state the following.

1. The subject patent lapsed for failure to file an appeal brief due originally (with 5 month grace period) on 05 June 2006.
2. My failure to authorize my patent attorney to file an appeal brief resulted entirely from not receiving said attorney's mail at my residence, and hence a breakdown of communications with my patent attorney.
3. I reside at 8197 Bodkin Avenue, Pasadena, MD 21122. A school bus stop is located in front of the mailbox at my residence. On many different occasions, I have personally seen children loiter at the bus stop, take mail out of my

mail box, and tear open my mail. I have repeatedly asked the children to cease tampering with my mail but my requests have gone unanswered. I still do not receive my bills or other mail regularly.

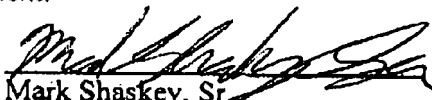
4. Since I did not receive my patent attorney's letter dated 30 November 2005 regarding the need to file an Appeal Brief, nor the Notice of Abandonment (a copy of which was mailed 20 July 2006).

5. In December 2006, I called my patent attorney and was informed of the abandonment. Immediately upon realization of the situation I authorized my attorney to prepare and file a Petition to Revive under 37 C.F.R. 1.137(a) (unavoidable delay) along with all supporting documents and fees.

6. In view of my Statement, it is submitted that abandonment of this application was unavoidable, and that the entire delay in filing the attached RCE application from the due date for the Appeal Brief until the filing of a grantable petition pursuant to this Petition was unintentional. Consequently, a favorable decision on this Petition is in order.

I declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true. I further declare that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or by both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the above-referenced patent.

Date

  
Mark Shaskey, Sr.  
Inventor/Patentee